

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case no. 00-6003-Cr-Dimitrouleas  
MAGISTRATE SELTZER

UNITED STATES OF AMERICA,

Plaintiff,

v.

MITCHELL STEIN,

Defendant.

~~MOTION FOR PRELIMINARY EXAMINATION AS CONDITION OF PRE-TRIAL RELEASE~~

The Defendant, through undersigned counsel, moves ~~the~~ Honorable court to rescind its requirement of urine testing of the defendant and states:

- 1) Prior to the initial appearance, undersigned counsel and Assistant United States Attorney Lynn Rosenthal agreed that drug testing of the defendant in this cause was not requested. The Government has no objection to no testing of the defendant.
- 2) Unfortunately, the matter was not raised at the first appearance.
- 3) Since that time the defendant has been tested three times, twice by PTS and once by probation at the time of the PSI interview. All tests are negative.
- 4) The defendant is charged with one misdemeanor count of failure to file income taxes that occurred several years ago. There is nothing in the case that warrants continued testing.

WHEREFORE, the defendant moves this Honorable Court to rescind the urine testing of the defendant.

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By: 

**GARY KOLLIN**  
Fla. Bar No. 282431

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was delivered this 24 day of February, 2000, to the Assistant United States Attorney Lynn Rosenthal, 299 E. Broward Blvd., Ft. Lauderdale, FL 33301.

  
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**GARY KOLLIN, ESQ.**